

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE NEW YORK TIMES COMPANY,

Plaintiff,

v.

MICROSOFT CORPORATION, OPENAI,
INC., OPENAI LP, OPENAI GP, LLC,
OPENAI, LLC, OPENAI OPCO LLC,
OPENAI GLOBAL LLC, OAI
CORPORATION, LLC, OPENAI
HOLDINGS, LLC,

Defendants.

Civil Action No. 1:23-cv-11195-SHS

Hon. Sidney H. Stein

OPENAI’S MOTION FOR LEAVE TO FILE UNDER SEAL

Under paragraph 22 of the Protective Order in this case (ECF 127) and Section 5.B of this Court’s Individual Practices, Defendant OpenAI¹ respectfully seeks to provisionally file under seal a portion of its Objection to Non-Dispositive Order Pursuant to Federal Rule of Civil Procedure 72(a) and the accompanying exhibits. The objection seeks an order under Rule 72(a) setting aside the discovery orders at ECF 352-53 and compelling Plaintiff The New York Times Company to produce the requested discovery. OpenAI seeks to file portions of the objection and accompanying exhibits under seal because the objection discusses, and the accompanying exhibits contain, documents that Plaintiff designated as Protected Discovery Material under the Protective Order. Dkt. 127 ¶ 22. OpenAI does not affirmatively seek to seal any portion of the objection, nor any portion of any exhibit. Under the Protective Order, Plaintiff has five business

¹ “OpenAI” refers collectively to Defendants OpenAI, Inc.; OpenAI LP; OpenAI GP, LLC; OpenAI, LLC; OpenAI OpCo, LLC; OpenAI Global LLC; OpenAI Corporation LLC; and OpenAI Holdings, LLC.

days to file a statement of reasons for why the material should be sealed. *Id.* OpenAI will review Plaintiff's filings, and if necessary, confer about any disagreement.

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Dated: December 23, 2024

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